



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

A G E N D A

AUGUST 13, 2007

Commissioner Joe Ford, Chairman
Commissioner David Lillard, Chairman Pro Tempore
Commissioner Joyce Avery
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner Sidney Chism

Commissioner George Flinn
Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Deidre Malone
Commissioner Steve Mulroy
Commissioner Mike Ritz

2:30 P.M. COMMISSION CONVENES

CALL TO ORDER Deputy Sheriff Mike Cooley

INVOCATION Elder Fred Norman
Kingdom Worship Center

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Sessions

CARPENTER June 25, 2007
ADOPTED July 9, 2007
July 23, 2007

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

Ordinances

FLINN 1. **ORDINANCE – SECOND READING** – An ordinance to
APPROVED amend the Shelby County Code of Ordinances, Chapter
20, Article III, Section 20-74 relative to procedure upon
approach of authorized emergency vehicles.

**FLINN
APPROVED**

2. **ORDINANCE – SECOND READING** – An ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article I, Section 20-22 relative to child passenger safety responsibility.

**FLINN
APPROVED**

3. **ORDINANCE – SECOND READING** – An ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article III, Section 20-50 relative to off-highway motor vehicles.

**FLINN
APPROVED**

4. **ORDINANCE – SECOND READING** – An ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article III, Section 20-37 relative to compliance with Tennessee’s Financial Responsibility Law of 1977.

**BROOKS
APPROVED**

5. **ORDINANCE - SECOND READING** – Ordinance setting a term limit for the appointment of members to Shelby County boards, authorities, and commissions and county appointees to joint city/county entities of two consecutive terms or ten consecutive years whichever is longer.

Zoning and Subdivisions

**RITZ
ADOPTED
(A-B)**

6. Resolution approving various subdivision contracts, plats, extensions, etc. as recommended by the County Engineer.

Reports and/or Resolutions for Standing Committees

**MALONE
ADOPTED**

7. Resolution to approve an amendment between Shelby County Government and E-Applications Solutions Group, Inc., for continued maintenance support for the administrative management system in the total amount of \$189,000.00 from FY 2007/2008, Operations and Maintenance budget, Account No. 010-201804-6780.

**MALONE
ADOPTED**

8. Resolution to approve an amendment between CIMS Global Technology Solutions, Inc., and Shelby County Government, Information Technology Department, for document management consulting services and software and hardware purchases, and to appropriate funds from FY 2007/2008, Operations and Maintenance budget, Account No. 010-201807-6634, Outside Consultant Fees, in the amount of \$140,000.00 and Account No. 010-201807-6016, Data Processing Supplies, in the amount of \$20,000.00, for a total amount of \$160,000.00.

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| MALONE
ADOPTED | 9. | Resolution to appropriate \$69,000.00 to Memphis Networx, LLC, for annual broadband and internet services and to increase the bandwidth of the internet services for FY 2007/2008 per terms of an existing contract between Shelby County Government and Memphis Networx, LLC, and to approve future year payments per the terms of the contract, subject to annual approval of budgeted funds by the Shelby County Board of Commissioners. |
| MALONE
(REMOVED TO
REGULAR AGENDA)
ADOPTED | 10. | Resolution regarding compliance with the Operating Budget. |
| MALONE
ADOPTED | 11. | Resolution to amend the FY 2007 Operating Budget. |
| LILLARD
ADOPTED | 12. | A resolution to amend the resolution adopted by the Shelby County Board of Commissioners on June 11, 2007, Item No. 11, which amended the resolution adopted by the Shelby County Board of Commissioners on August 14, 2006, Item No. 13, which amended the resolution authorizing the establishment of a governing board for the Regional Geographical Information System adopted by the Shelby County Board of Commissioners on June 21, 2004, Item No. 41 |
| LILLARD
ADOPTED | 13. | Resolution of the Board of County Commissioners to support and encourage the Shelby County Administration in its efforts to solicit funding in connection with the upper Mississippi embayment, Tennessee, Arkansas and Mississippi regional groundwater study. |
| AVERY
ADOPTED | 14. | Resolution requesting approval to amend the Memphis and Shelby County Health Department FY 2007/2008 Operating Budget and to appropriate funds in the amount of \$554,000.00 carried forward from FY 2006/2007 in Bioterrorism/Cities Readiness Initiative Program. |
| AVERY
ADOPTED | 15. | Resolution to approve a contract between Shelby County Government and Emsystem, LLC, for the purchase of Emresource Management Program for the Memphis and Shelby County Health Department, for the period of July 1, 2007 – March 29, 2009, in the amount of \$106,722.80, and to amend the FY 2007/2008 Operating Budget. |
| AVERY
ADOPTED | 16. | Resolution to approve real estate sales contract between Shelby County Government and The Campbell Foundation for the purchase of 0.548 acres of improved real property, located on the northwest corner of Madison Avenue and Manassas Street for land assemblage needed for the site of the county's new regional forensic center; appropriating funds in the amount of \$280,000.00 by amending the FY 2007/2008 CIP budget. |

CHISM ADOPTED	17.	Resolution of the Board of Shelby County Commissioners to support, in conjunction with the Shelby County Administration, the Oak Ridge National Laboratory's (ORNL), Community and Regional Resilience Initiative (CARRI) under the direction of the congressionally funded southeast region research initiative.
CHISM ADOPTED	18.	Resolution approving an annual expenditure of \$55,899.10 for software maintenance with ACS Government Systems, Inc., for the Case Management System of General Sessions Court, Civil Division.
CHISM ADOPTED	19.	Resolution awarding the bid to Allied Waste Services of Memphis in the amount of \$118,990.70 for waste disposal services for the Shelby County Division of Corrections for Fiscal Year 2007/2008.
CHISM ADOPTED	20.	Resolution approving expenditure of funds from the Fire Department's FY 2007/2008 operating budget in the amount of \$68,010.00 to Shapiro Uniforms, Inc., for the purchase of various items of clothing for the Shelby County Fire Department.
CHISM ADOPTED	21.	Resolution to approve the amendment to the transfer agreement with the City of Millington to increase its fire service coverage areas within its annexation reserve and approve payment from Shelby County fire fees to the City of Millington.
CHISM ADOPTED	22.	Resolution to authorize amendment of approved FY 2007/2008 Operating Budget of Shelby County Fire Department to reflect increase in revenue, fund EMS Coordinator position, and increase operations and maintenance.
CHISM ADOPTED	23.	Resolution amending the FY 2007/2008 Operating Budget and authorizing the Shelby County Mayor to execute a grant agreement with the State of Tennessee's Office of Criminal Justice Programs for the School Resource Deputies Initiative in the amount of \$225,000.00.
CHISM (DEFERRED TO 08/27/07)	24.	Resolution appropriating narcotics funds in the amount of \$548,174.00 for the construction of the Shelby County Sheriff's Office Narcotics Dog Kennel and approving a contract with Descon, Inc., in the amount of \$498,340.00.
BUNKER (DEFERRED TO 08/27/07)	25.	Joint Resolution of the Shelby County Board of Commissioners, the Shelby County Board of Education, and the Board of Education of Memphis City Schools.

FLINN ADOPTED	26.	Resolution amending the FY 2007/2008 Operating Budget of the Head Start Program and appropriating program income in the amount of \$65,000.00 for use in the operation of the Head Start Program.
FLINN ADOPTED	27.	Resolution to approve lease agreement addendum with 100 N. Main Building for office space known as Suites 1300, 1326 and 1327 for the Community Services Agency and appropriating funds in the amount of \$57,390.00.
FLINN ADOPTED	28.	Resolution to approve lease agreement addendum with 100 N. Main Building for office space known as Suite 1301 for the Community Services Agency and appropriating funds in the amount of \$17,838.00.
FLINN ADOPTED	29.	Resolution to approve the Shelby County Community Services Agency to accept and expend \$229,800.00 in grant funds from the City of Memphis – Work Force Investment Network Program and to amend the Shelby County Operating Budget for FY 2008.
FLINN ADOPTED	30.	Resolution to approve Amendment No. 1 to the Shelby County Community Services Agency's Program to allow maximum expenditures of funds from the contract with the City of Memphis – Work Force Investment Network Program – and to amend the Shelby County Operating Budget for FY 2008.
FLINN (REMOVED TO REGULAR AGENDA) (DEFERRED TO 08/27/07)	31.	Resolution approving the contract between Shelby County Government and Porter Leath Children's Center for the provision of Head Start services for 1,120 children for the period July 1, 2007 through June 30, 2009. Resolution amends the FY 2008 Operating Budget and the FY 2008 personnel complement.
CARPENTER ADOPTED	32.	Resolution to appropriate funds in the amount of \$200,000.00 for acquisition and closing costs of land and right-of-way for Wolf River Ecosystem Restoration Project from the FY 2007/2008 CBA Budget for Project No. 101906, Chickasaw Basin Authority, and amending the FY 2007/2008 CIP Budget.
LILLARD ADOPTED	33.	Resolution approving the sale of forty-five delinquent tax parcels from tax sale (s) 0002, 0005, 22, 42, 54, 82.1, 82.2, 83.1, 97.4, 0105, 0106, 0201, 0202, 0203, and 0204 totaling \$171,900.00 pursuant to the provisions of the Tennessee Code Annotated, Section 67-5-2507.
LILLARD ADOPTED	34.	Resolution approving the sale of eighteen delinquent tax parcels totaling \$44,400.00 from tax sale (s) 0005, 92.2A, 97.4, 99.05, 0102, 0106, 0201, 0202, 0203, and 0204, pursuant to the provisions of the Tennessee Code Annotated, Section 67-5-2507.

LILLARD
ADOPTED

35. Resolution approving the sale of forty-five delinquent tax parcels totaling \$128,330.00 from tax sale (s) 0002, 0005, 6, 12, 15, 16, 17, 26, 28, 50, 54, 55, 83.1, 85.1 85.2 89.3, 89.5 94.4, 95.2, 96.2, 97.4, 0101, 0104, 0105, 0107, 0201, 0202, 0203, and 0204, pursuant to the provisions of Tennessee Code Annotated, Section 67-5-2507.

LILLARD
ADOPTED

36. Resolution to convey two delinquent tax parcels to the City of Memphis for the use and benefit of the Division of Housing and Community Development, in conjunction with the Fowler Homes Redevelopment Project.

CHISM
ADOPTED

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

BROOKS
ADOPTED

37. Resolution approving the county mayor's nomination of Al Bright, Jr. for appointment to the Memphis and Shelby County *Community Redevelopment Agency*.

BROOKS
ADOPTED

38. Resolution approving the county Mayor's nomination of David D. McCray for reappointment to the Memphis and Shelby County *Groundwater Control Board*.

Ordinances

RITZ
(DEFERRED
TO 08/27/07)

39. ORDINANCE – THIRD READING – Ordinance repealing Ordinance No. 81 relative to regulating and licensing sexually oriented businesses, and adopting the state Adult-Oriented Establishment Registration Act of 1998 in Shelby County.

MULROY
ADOPTED

40. ORDINANCE – THIRD READING (As Amended) – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the *Joint Existing Building Code* of Memphis and Shelby County as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 295 on June 6, 2005, and by the Council of the City of Memphis in Ordinance No. 5124 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
ADOPTED

41. ORDINANCE – THIRD READING (As Amended) – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the *Joint Building Code* of Memphis and Shelby County as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 296 on June 6, 2005, and by the Council of the City of Memphis in Ordinance No. 5122 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
ADOPTED

42. ORDINANCE – THIRD READING (As Amended) - A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the *Joint Electric Code* of Memphis and Shelby County as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 297 on June 6, 2005, and by the Council of the City of Memphis in Ordinance No. 5123 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
ADOPTED

43. ORDINANCE – THIRD READING (As Amended) – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the *Joint Fuel Gas Code* of Memphis and Shelby County as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 298 on June 6, 2005, and by the Council of the City of Memphis in Ordinance No. 5125 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
ADOPTED

44. ORDINANCE – THIRD READING (As Amended) – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the *Joint Mechanical Code* of Memphis and Shelby County as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 299 on June 6, 2005, and by the Council of the City of Memphis in Ordinance No. 5121 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

RITZ
ADOPTED

45. ORDINANCE – THIRD READING (As Amended) – A Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the *Joint Plumbing Code* of Memphis and Shelby County as last adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 300 on June 6, 2005 and by the Council of the City of Memphis in Ordinance No. 5120 on September 6, 2005, so as to make certain changes as hereinafter set out and establish an effective date.

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

BUNKER
(DEFERRED
TO 08/27/07)

46. Resolution to establish a debt service account on deposit with the Shelby County Trustee.

MALONE
(DEFERRED
TO 08/27/07)

47. Resolution amending the FY 2007/2008 Operating Budget and position control budget of the Juvenile Court of Memphis and Shelby County.

GIBSON ADOPTED	48.	Resolution authorizing the expenditure of funds to Office Scapes, Inc., in the amount of \$156,125.00 for the purchase of modular furniture under state contract SWC 230 necessary for the expanded child support enforcement program.
MALONE (DEFERRED TO 08/27/07)	49.	Resolution to amend the general fund budget for the Fiscal Year 2008 to eliminate one position and the related budget from Juvenile Court.
MALONE (DEFERRED TO 08/27/07)	50.	Resolution encouraging the Memphis and Shelby County Juvenile Court to create a temporary/contract position for purposes of public outreach, education and advocacy for the citizens of Memphis and Shelby County.
MALONE (DEFERRED TO 08/27/07)	51.	Resolution to approve changes to life insurance benefits provided to employees and retirees.
BROOKS ADOPTED	52.	Resolution amending the FY 2008 Operating Budget and personnel complement for the Shelby County Human Resources Department to add two positions.
BROOKS WITHDRAWN	53.	Resolution to enact a historically underutilized business policy for Shelby County Government.
BROOKS (DEFERRED TO 08/27/07)	54.	Resolution of the Shelby County Board of Commissioners to broaden and further define the functions of the office of Equal Opportunity Compliance as established in Section 5.13 of the Shelby County Charter so as to provide for a Chief Diversity Officer and define his/her responsibilities.
BROOKS ADOPTED	54A.	A Joint Resolution of the County of ‘Shelby and the City of Memphis, Tennessee, to approve the increase in FY 2008 Budget of the Memphis and Shelby County Film and Television Commission by transferring \$50,000.00 from Commissioners’ Contingency Fund in order to create the television and film workforce/infrastructure development grant program to be administered by the Memphis and ‘Shelby County Film and Television Commission.
LILLARD ADOPTED	54B.	Resolution approving the transfer of title of one parcel of Homestead Program property pursuant to Tennessee Code Annotated Sections 7-66-101 to 7-66-111 and Resolution No. 24 adopted by the Shelby County Board of Commissioners October 7, 1985, authorizing the implementation of the Shelby County Homestead Program.

Announcements/Statements

Adjournment

**LILLARD
ADOPTED**

- 55. Resolution of Adjournment to Monday, August 27, 2007,
at 2:30 p.m.**

AGENDA #: 6

DATE AUGUST 13, 2007

6A

**SUBDIVISION: BUCKINGHAM FARMS P.D., PHASE 31 PART OF PARCELS D,
F AND G (P.D. 95-310 CC)**

DEVELOPER: BUCKINGHAM FARMS, L.L.C.,

**ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE
IMPROVEMENTS TO BUCKINGHAM FARMS P.D., PHASE 31
PART OF PARCELS D, F AND G (P.D. 95-310 CC)**

**LOCATION: EAST OF HACKS CROSS ROAD; NORTH OF SHELBY DRIVE
AT THE INTERSECTION OF MEADOWVALE DRIVE AND
LUGARDA LANE**

6B

SUBDIVISION: GOODLETT FARMS EAST P.D., PHASE 14 (P.D. 90-317 CC)

DEVELOPER: SHELBY SYSTEMS, INC.

**ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE
THE IMPROVEMENTS TO THE GOODLETT FARMS EAST P.D.,
PHASE 14 (P.D. 90-317 CC) AND AUTHORIZE RECORDING OF
THE PLAT**

**LOCATION: SOUTH/WEST CORNER OF GOODLETT FARMS PARKWAY
AND GARRETT RIDGE ROAD**

[If you have any questions about this agenda, please call Steve Summerall, Chief Administrator, at 545-4301]